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August 22, 2016

Mr. Gregory O. Block
Clerk of the Court
U.S. Court of Appeals for Veterans Claims
625 Indiana Ave., N. W. - Suite 900
Washington, D.C. 20004-2950

RE: **Cook, Warren**
No. 15-0873
Citation to Supplemental Authority by the Appellant

Dear Clerk:

Pursuant to U.S. Vet.App. R. 30(b), this submission is to bring to the Court's attention supplemental authorities that are relevant to the above-referenced case now pending before the Court. The supplemental authorities are as follows:

38 U.S.C. § 7107(b).

This authority pertains to Mr. Cook's supplemental memorandum of law, at pages 8, concerning the plain language of 38 C.F.R. § 20.700(a) as well as pages 9-10, concerning whether this Court should afford any deference to the interpretation of 38 C.F.R. § 20.700(a)..

The provisions of 38 U.S.C. § 7107(b) unambiguously provides: "**The Board shall decide any appeal only after affording the appellant an opportunity for a hearing.**" Based upon the lack of ambiguity in § 7107(b) there is no gap for the VA to fill concerning affording an appellant a hearing before deciding any appeal. In this case, the Board's prior decision was vacated by this Court and returned to the Board for a new

decision. Thus, the mandate of Congress is clear that the Board shall decide an appeal, this case anew following remand from this Court, “only after affording the appellant an opportunity for a hearing.”

Thank you for your attention to this matter.

Sincerely,

/s/Kenneth M. Carpenter

Kenneth M. Carpenter

Counsel for Appellant,

Warren Cook

Electronically filed August 22, 2016